

PHILLIP A. TALBERT
Acting United States Attorney
CHRISTOPHER S. HALES
KATHERINE T. LYDON
Assistant United States Attorneys
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT ALLEN POOLEY,

Defendant.

CASE NO. 2:21-CR-00111-WBS

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
[PROPOSED] FINDINGS AND ORDER

DATE: October 25, 2021
TIME: 9:00 a.m.
COURT: Hon. William B. Shubb

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on October 25, 2021.
2. By this stipulation, defendant now moves to continue the status conference until December 13, 2021, and to exclude time between October 25, 2021, and December 13, 2021, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes over 19,000 individual Bates-stamped items, with additional discovery amounting to over 6 terabytes of data available for further production and inspection. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying. In

1 recent weeks the government, at defense request, has supplied one subset of the electronic data to
2 defense counsel on a hard drive, and defense counsel is in the process of reviewing that
3 discovery.

4 b) Counsel for defendant desires additional time to consult with her client, to review
5 the current charges, to conduct investigation and research related to the charges, to review and
6 copy discovery for this matter, to discuss potential resolutions with her client, and to otherwise
7 prepare for trial.

8 c) Counsel for defendant believes that failure to grant the above-requested
9 continuance would deny her the reasonable time necessary for effective preparation, taking into
10 account the exercise of due diligence.

11 d) The government does not object to the continuance.

12 e) Based on the above-stated findings, the ends of justice served by continuing the
13 case as requested outweigh the interest of the public and the defendant in a trial within the
14 original date prescribed by the Speedy Trial Act.

15 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
16 et seq., within which trial must commence, the time period of October 25, 2021 to December 13,
17 2021, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
18 T4] because it results from a continuance granted by the Court at defendant's request on the basis
19 of the Court's finding that the ends of justice served by taking such action outweigh the best
20 interest of the public and the defendant in a speedy trial.

21 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
22 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
23 must commence.

24 IT IS SO STIPULATED.

1 Dated: October 20, 2021

PHILLIP A. TALBERT
Acting United States Attorney

2
3 /s/ CHRISTOPHER S. HALES
CHRISTOPHER S. HALES
Assistant United States Attorney

5 Dated: October 20, 2021

HEATHER E. WILLIAMS
Federal Defender

7 /s/ HANNAH LABAREE
HANNAH LABAREE
Assistant Federal Defender
Counsel for Defendant
ROBERT ALLEN POOLEY

12 **[PROPOSED] FINDINGS AND ORDER**

13 IT IS SO FOUND AND ORDERED this ____ day of _____, _____.
14

15 _____
16 THE HONORABLE William B. Shubb
UNITED STATES DISTRICT JUDGE